

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9452 of 2014

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1. Manoj Kumar Sah S/O Babu Saheb Sah resident of Mohalla - Maharajganj, J.P. Colony,
Ward No.14, Madhubani town, P.S. AND District - Madhubani

.... Petitioner/s

Versus

1. The State of Bihar through Secretary, Urban Development and Housing Department,
Government of Bihar, Vikas Bhawan, Bailey Road, Patna - 1
2. The Secretary, Urban Development and Housing Department, Government of Bihar,
Vikas Bhawan, Bailey Road, Patna - 1
3. The Director, Urban Development and Housing Department, Government of Bihar,
Vikas Bhawan, Bailey Road, Patna - 1
4. The Deputy Secretary, Urban Development and Housing Department, Government of
Bihar, Vikas Bhawan, Bailey Road, Patna - 1
5. The Municipal Council, Madhubani through its Chairperson, Madhubani
6. The Chairperson, Municipal Council, Madhubani
7. The Municipal Executive Officer, Municipal Council, Madhubani

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh
For the Respondent/s : Md. Harun Qureshi, AC to SC-18.
Mr. Purushottam Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 08-02-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for a
direction to the respondents to make payment of the amount
claimed by the petitioner to be due to him pursuant to work
having been completed in terms of the tender awarded in favour
of the petitioner.

3. It is submitted on behalf of the petitioner that
despite construction of the ground floor and first floor of the
Model Building of the Nagar Parishad, Madhubani and submission
of bills against such work done, no payment in respect thereof

has been made and the petitioner's claim of about Rs. 12,00,000/- remains outstanding to be paid.

4. In the above view of the matter, this writ petition is disposed of with consent of the petitioner, granting him liberty to approach the Municipal Executive Officer, Municipal Council, Madhubani (Respondent No. 7) with a fresh representation for redressal of his grievances. If any such representation is filed within a period of three weeks from today, the same shall be considered and disposed of, ensuring payment to the extent found due to the petitioner, within a period of six weeks from the date of receiving the petitioner's representation. Any delay in payment of the admitted amount beyond the stipulated period as stated above, shall entitle the petitioner to receive payment together with simple interest at the rate of 9% per annum on the admitted dues calculated from the date when the amount became due till the date of its actual payment. In case the petitioner's claim is found inadmissible, whether in whole or in part, the petitioner's representation shall be disposed of by a speaking order in that regard.

5. It is made clear that this Court is not expressing any opinion on the merits of the claim of the petitioner.

(Vikash Jain, J)

Md. Ibrarul/-

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